REMARKS

Before addressing the Final Office Action ("FOA"), the undersigned would like to thank the Examiner for participating in a personal interview conducted on May 8, 2007. The substance of the interview has been incorporated in this response.

In the FOA, the Examiner rejected claim 1-6, 12-17, 23-28, 34-39, and 45-50 under 35 U.S.C § 102(e) as anticipated by Macromedia, Inc., "Connecting to Oracle Databases," alleged published in 2001, ("Macromedia article"), and rejected claims 7-11, 18-22, 29-33, 40-44, and 51-55 under 35 U.S.C § 103(a) as unpatentable over the Macromedia article. In response, Applicants submit that the rejections under sections 102(e) and section 103(a) are improper because the Examiner has not established that the Macromedia article is prior art under section 102(e) and section 103(a). Specifically, the Examiner has not established that Macromedia article was published prior to the effective filling date of the subject application. Accordingly, the rejections under section 102(e) and section 103(a) should be withdrawn and the finality of the Office Action should be withdrawn.

The subject application claims priority to U.S. Provisional Patent Application No. 60/337,158 ('158 provisional), filed December 10, 2001. The present claims are fully supported by the '158 provisional. More particularly, the '158 provisional discloses communicating data in a variety of formats between various applications, servers and databases. ('158 provisional at p. 42-50.) Data may be transferred from the applications, through the servers, to the databases in the variety of formats. ('158 provisional at p. 45.) The data may be transferred from applications in a propriety format such as OBDC-compliant formats. ('158 provisional at p. 43, 45.) Likewise, the

data, in a native format, may be transferred through a server or servers, such a SQL server to the databases. ('158 provisional at p. 42, 44). The '158 provisional also discloses a project management application. ('158 provisional at p. 42-50.)

Therefore, the '158 provisional fully supports the claims of the subject application. Accordingly, the subject application is entitled to an effective filing date of December 10, 2001. As such, the Examiner must establish a publication date prior to December 10, 2001 for any printed publication cited in a rejection under section 102(e) or 103(a). M.P.E.P. § 2128, ed. 8, r. 5, p. 2100-62 to 64 (Aug. 2006).

The Macromedia article, cited by the Examiner, does not include a specific date of publication. The Macromedia Internet article includes a copyright notice alleging publication in 2001. (Macromedia article at p. 6.) Nonetheless, the Macromedia article, on its face, does not indicate an exact date of publication. Furthermore, the Examiner has failed to establish an exact publication date through other evidence. Specifically, during the May 8th interview, the undersigned requested that the Examiner provide evidence establishing the exact publication date. Subsequently, the Examiner telephoned the undersigned and indicated that the exact publication date of the Macromedia article could not be determined.

Thus, the Examiner has not established a publication date for the Macromedia article. Since the subject application has an effective filing date of December 10, 2001, the Macromedia article does not qualify as prior art under section 102(e) or section 103(a). As such, the rejections based on the Macromedia article should be withdrawn.

The Examiner is additionally reminded that arguments were presented in the personal interview demonstrating how the claims of record clearly distinguish over the

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Macromedia article, should an effective publication date of the Macromedia article be determined.

More particularly, the Macromedia article merely discloses methods for configuring applications to connect to Oracle databases. The Macromedia fails to disclose, among other things, "a. a first software application for maintaining data in a first ODBC-compliant format; b. a second software application for maintaining data in a second format other than an ODBC-compliant format; c. a first server; d. a second server ... said first server being adapted to communicate with said first software application to transfer the data from said first software application to said professional services project management application ... said first server being adapted to communicate with said second software application to transfer the data from said second software application to said professional services project management application through said second server," as recited in claim 1. As such, the rejections under section 102(e) and 103(a) are improper and should be withdrawn.

Additionally, during the May 8th interview, the Examiner raised concern regarding the compliance of the subject claims with 35 U.S.C §101. While the Examiner has not presented a rejection under section 101, Applicants respectively submit that claims 1-55 comply with section 101.

To comply with section 101, "the claimed invention as a whole must be useful and accomplish a practical application. That is, it must produce a 'useful, concrete and tangible result.'" M.P.E.P. § 2106 at p. 2100-6. In this case, the subject claims produce a useful, concrete and tangible result of managing data and making the data available to a user. Thus, the subject claims comply with section 101.

In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application, withdrawal of the finality of the Office Action, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 50-2961.

Respectfully submitted,

Dated: May 18, 2007

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